



AGENDA
Committee on Public Safety
Friday, February 26, 2016 @ 3:30 p.m.
City Council Chambers, 10th Floor *(Note Location)

Councilmember Carol Wood, Chair
Councilmember Adam Hussain, Vice Chair
Councilmember Kathie Dunbar, Member

1. **Call to Order**
2. **Roll Call**
3. **Minutes**
 - February 26, 2016
4. **Public Comment on Agenda Items**
5. **Discussion/Action:**
 - A.) Community Police Officer (CPO) written report from Chief Yankowski
 - B.) Discussion on the Medical Marijuana Ordinance with the City Attorney's Office
6. **Pending**
 - Discussion on 3200 South Washington (Patricia Baines-Lake & Tony Baltimore)
7. **Other**
8. **Adjourn**

COMMITTEE on public safetyDATE 2/26/16

Please print

NAME	ADDRESS	EMAIL	Representing	PHONE
Monica Watson		monica.castillal@gmail.com		
KATHY MILES			RS L	
Mike Burrton	3405 S Cedar St Lansing, MI		Got meds	
Brian Hamilton			Puff n Stuff	
JAMES MCGILLIE			SELF	
TEISHA DOYLE	505 Leslie St. LANSING 48917		Self	
Deb Parrish	526 Avon Lansing 48910	Design326@aol.com	Self	
Paul CIARK			KUSH CAFE	
Carolyn Cordell	911 Leonard St			894-8083
Jim A. Shub	818 Cooper ave		Myself	NA
Nickolas Galender			Cannabis Attorneys of Michigan	
Jacob Rutenacht	904 N. Walnut Lansing		Myself	
Nick Calkins	3452 E. Lake Lansing FL 48923	ncalkins@nicholslaw.net	-	-
Donna (S) Walcott	608 Shoreline Dr			
Joanne Greed	2108 DeSoto Lansing	Kayjoe@comcast.net	Self	
Katasha Turner	1014 Farrand St Lansing, MI 48906			



MINUTES
Committee on Public Safety
February 26, 2016 @ 3:30 p.m.
Tenth Floor, City Council Chambers – Lansing City Hall

CALL TO ORDER

The meeting called to order at 3:33 p.m.

ROLL CALL

Councilmember Carol Wood, Chair
Councilmember Adam Hussain, Vice Chair
Councilmember Kathie Dunbar, Member – arrived at 3:37 p.m.

OTHERS PRESENT

Patricia Spitzley, City Council At-Large Member
Joseph Abood, Deputy City Attorney
Mike Barron, Got Meds Medical Marijuana Distributor
Mr. Mark Bessak, Got Meds Medical Marijuana Distributor
Mike Thomas, Got Meds Medical Marijuana Distributor
Brian Hamilton, Puff-n-Stuff
Nickolas Galendez, Cannabis Attorneys of Michigan
Nick Calkins, Nichols Law Firm
Pella Gabrail, Tru Releaf
Blair Nelson, WLNS
Karl J. Stetler, Capital Meds
Matt Hoffman, Michigan Medical Marijuana Growers Association
Paul Clark, Kush Cafe
Jeffrey Hank, MILEgalize
Brandon Michael Abree
James McGillie
Teisha Doyle
Stan Shuck
Dustin Yancey
Brant Johnson
Jacob Rufenacht
Latasha Turner
Alex Smith
Dustin Chance Smith
Dustin Hidlay
Tom Nemeth
Cheyo Perez
Carolyn Condell

Joanna Creede
Deb Parrish
Monica Watson
Marry Ann Prince
Kathy Miles
Courtney Vincent, Council Administrative Assistant

MINUTES

Councilmember Wood placed approval of the minutes from February 12, 2016 on hold until the next meeting.

PUBLIC COMMENT ON AGENDA

Took place when the items were discussed.

DISCUSSION/ACTION:

Update from Chief Yankowski Regarding Community Police Officers

Councilmember Wood stated that she had asked Police Chief Mike Yankowski to attend today's meeting to provide an update on the Community Police Officers (CPO's), but Chief Yankowski was unable to attend because he was conducting officer interviews. She noted that he had provided the Committee with a memo outlining the status of the CPO's, current assignments and vacancies, and the plan for CPO's moving forward. She stated that she would like to invite Chief Yankowski to attend the March 11, 2016 Committee on Public Safety meeting to further discuss CPO's and address any further questions the Committee had.

Councilmember Hussain commented that he would like Chief Yankowski to address how the Lansing Police Department (LPD) determines where the CPO's are positioned and if more detail could be provided regarding the type of work do they do within their assigned communities.

Councilmember Dunbar arrived at 3:37 p.m.

Discussion on Medical Marijuana Ordinance

Councilmember Wood stated that there would be a discussion between the Committee and Mr. Abood and then she would open the floor for public comment.

Mr. Abood stated that the Lansing Regional Chamber of Commerce was inquiring about the City Council enacting a moratorium on new medical marijuana establishments. He reviewed that the last time this was done was when the City had been initially working on the Medical Marijuana Ordinance, but then a determination was rendered on the McQueen case and the State of Michigan established that only caregiver to patient transfers of medical marijuana were legal.

He added that medical marijuana establishments were also against the law federally, but that federal authorities have not sought to actively enforce those laws when they conflict with state laws such as with Colorado. He noted that the City's Public Health Code still classified medical marijuana as a Schedule 1 Controlled Substance and that did not change even though the Michigan Medical Marijuana Act (MMMA) allowed for certain immunities. He mentioned that the Michigan Legislature was in the process of crafting a law concerning medical marijuana but at this time it was still in committee. He also noted that the City of Detroit had an ordinance pertaining to medical marijuana establishments, but that it probably would go into effect on March 1st as planned because it was going to be challenged by a possible referendum and lawsuits. He stressed that the City of Lansing did not want to fall into the same situation by drafting an ordinance that would only end up subject to significant

litigation. He stated that the City did not have the authority from the State of Michigan to provide licenses to establishments that are not legal under the MMMA.

Councilmember Wood asked if there were any prohibitions against several caregivers joining together in a business venue to supply their patients, provided that they adhered to the regulations pertaining to caregivers, and if it was possible for the City to provide licenses in that situation. Mr. Abood opined that this would not be a good business model, but that it could be possible.

Councilmember Dunbar asked if in this scenario those caregivers going into business could have a grow operation at the facility to supply their patients. Councilmember Spitzley also wanted to know if this would be a viable option. Mr. Abood replied that there was the ability for caregivers to group together and work out of a storefront to supply their patients, but that it would be difficult for them to ensure they did not go against caregiver regulations in the process. He opined that from a business standpoint it would be better for a caregiver to work from their home and grow their own product.

Councilmember Wood asked Mr. Abood his thoughts on instituting a moratorium. Mr. Abood replied that the City had allowed a prescribed list of established dispensaries to continue operating during the previous moratorium and that the City Council would have to establish specific criteria for selecting the established dispensaries that would be allowed to operate under a new moratorium.

Councilmember Hussain asked how existing businesses were identified for the last moratorium. Councilmember Wood explained that the business needed to bring in a copy of their lease or ownership papers for the property to the City Clerk's Office and fill out the appropriate paperwork. She added that a business could also submit the required information and application if they were in the process of negotiating a lease, and that the business would be removed from the list if those negotiations fell through. Councilmember Dunbar added that the businesses had to self-report to the City Clerk or they would not be included on the list.

Councilmember Wood mentioned that the City Attorney's Office was working on drafting an ordinance and asked Mr. Abood for a status update. Mr. Abood replied that they were trying to draft an ordinance that was on par with what the legislature was working on, but that it was difficult because of the constant changes in the legislature's draft.

Councilmember Spitzley asked if it would be feasible to draft the ordinance to address the caregivers more than just the dispensaries as a business. Mr. Abood replied that the MMMA addressed the caregivers and provided immunities to them, but that it did not account for the sales establishments currently in the city. He did note that there were caregivers operating within the bounds of the MMMA in the city and being counted with the dispensaries.

Councilmember Dunbar clarified that legally the City is not allowed to know who the caregivers are as a safety precaution to the caregiver. The issue of the dispensaries came about because of those caregivers who could not or would not grow their own products in their home, with the thought being it would be safer to use a storefront and regulate the process like a business. She added that this caused a conflict between the safety of the neighborhoods and the safety of the main corridors, and that a balance was needed between the two.

Councilmember Wood asked Mr. Abood when he could return to the Committee with additional information. Mr. Abood replied that he needed direction from the Committee on what aspects of the ordinance they wanted to enforce and how they wanted them enforced.

He added that if they went in the direction of the moratorium, he would need direction on what criteria would be used to select those dispensaries that would be allowed to remain.

Councilmember Wood opened the floor for public comment.

Ms. Deb Parrish, a resident of Lansing, addressed the Committee in support of having a safe place for patients to acquire medical marijuana. She noted that there was an issue with safety for home growers, and that allowing the dispensaries had brought business into otherwise vacant buildings. She also stated that she was in support of the dispensaries being licensed and regulated, and that Lansing caregivers should only supply to Lansing patients.

Mr. Mark Bessak, representing Got Meds Medical Marijuana Distributor, addressed the Committee in support of the established dispensaries because they provide access to medical marijuana to those who cannot or will not grow their own, and he opined that continued deliberations were only hurting the patients.

Mr. Brian Hamilton, representing Puff-n-Stuff, addressed the Committee in favor of licensing existing dispensaries. He mentioned that the dispensaries provided an increase in local revenue and in Lansing's workforce. He asked the Committee not to implement a moratorium, predicting that patients who lost the availability of dispensaries would be forced to use illegal means to gain their medications.

Mr. Brandon Michael Abree addressed the Committee in support of having dispensaries in the city.

Ms. Teisha Doyle, a resident of Lansing, addressed the Committee stating that she had moved to Lansing because of the access to medical marijuana and asked the Committee to keep in mind that the patients were the ones affected by their decisions.

Mr. Dustin Smith addressed the Committee in support of having the dispensaries because it is difficult for some patients to grow their own medical marijuana. He also noted that the dispensaries allowed for a greater variety of marijuana and provided patients with the chance to find the right strain for their ailment.

Mr. Stan Shuck, a resident of South Lansing, addressed the Committee in support of the dispensaries because of the positive impact they have provided to the economic development of the region, and he opined that dispensaries did not perpetuate violence like bars and breweries had a pattern of doing.

Ms. Kathy Miles, a resident of Lansing, addressed the Committee in opposition to dispensaries that acted in a capacity greater than the medical needs of the patients, such as by serving alcohol or being used as a club. She expressed her support of putting a cap on the number of dispensaries that were in allowed in the city.

Mr. Dustin Hidlay, a resident of Lansing, addressed the Committee to request that the Committee exercise home rule instead of Dillan's Rule where it pertains to the issue of medical marijuana in the city.

Mr. Jacob Rufenacht, a resident of Lansing, addressed the Committee in opposition to biased zoning regulations for medical marijuana dispensaries.

Ms. Mary Ann Prince, a resident of South Lansing, addressed the Committee in opposition to medical marijuana dispensaries.

Mr. Brant Johnson, a resident of Okemos, addressed the Committee to request that they not limit the services of the dispensaries to only those patients who were residents of the City of Lansing.

A woman who wished to remain anonymous addressed the Committee in support of medical marijuana dispensaries because they provide a safe place for patients to access medication and helps ensure that the product has been tested and is safe for use.

Mr. Jeffrey Hank addressed the Committee in opposition to a moratorium on new medical marijuana dispensaries, claiming that the City Council did not have the authority to implement a moratorium as per the City Charter.

Mr. Matt Hoffman, representing Hand Grown Medical Marijuana Dispensary in Grand Rapids, addressed the Committee to thank them for addressing this issue and to offer his assistance in this process.

Councilmember Wood clarified that none of the committee members had stated that they wanted to implement a ban on dispensaries or shut them all down. She stated that a number of the City Council members had said they viewed the dispensaries in the same light as other businesses which require licenses such as bars and restaurants. She explained that there was no way for them to know whether the dispensaries were paying income tax to their employees and that the City was not receiving sales tax from the products they sell. She commented that it had appeared from the last Committee meeting that the majority of people were in favor of some sort of licensing for the dispensaries, though people varied on the specifics, in order to ensure the safety of the patients. She stressed that even though the City Council had received a letter from the Lansing Regional Chamber of Commerce discussing a moratorium did not mean that that would be the direction the Committee would take, but it was important to have that dialog with the City Attorney about that possibility.

Councilmember Wood then asked Mr. Abood to verify whether she was correct in her understanding that the City Charter provision was based on whether there was an ordinance on the books dealing with a penalty for marijuana. She noted that there was no ordinance like this currently on file for the City of Lansing, so those being stopped for marijuana were due to regulations by the State of Michigan. Mr. Abood replied that he would need to research the question on the City Charter. He explained that the City of Lansing currently had an initiated law by referendum which was the voice of the people constraining the City of Lansing from enforcing the section of the City Charter pertaining to adults over the age of 21 having an ounce or less of marijuana in the privacy of their own homes. He specified that a prosecutor would prosecute under the State's statute and that the City would not prosecute what was within the scope of the City Charter.

Mr. Dustin Yancey addressed the Committee in support of medical marijuana dispensaries and their being licensed. He remarked that there were places that had been inspected and were trying to comply with City regulations. Councilmember Wood clarified that there was currently no registration of any kind in the City of Lansing for medical marijuana dispensaries. She reiterated that that was the purpose of these discussions.

Councilmember Spitzley asked if the previous moratorium was still applicable and could be used for the current situation. Mr. Abood replied that there were aspects of the original moratorium that could be enacted, but that the Committee would need to decide on the list of allowed dispensaries and the criteria to establish that list should they decide to allow currently established dispensaries to remain in operation during the moratorium.

Councilmember Wood asked if Mr. Abood had spoken with the City Clerk regarding how the list had been created previously. Mr. Abood replied that the City Clerk received the name of established dispensaries through self-reporting on the part of the establishments. He remarked that self-reporting could be entertained now for any prospective ordinance or moratorium.

Councilmember Dunbar stated that, in regards to a previous comment about not knowing whether taxes were paid by the dispensaries, establishments that were not a religious or non-profit organization pay property taxes and so would be on the tax roll in a least some capacity. She also explained that the City did not have a mechanism in place to determine whether any business was paying income tax, though it would be possible to estimate the amount if they knew the number of employees the business had. In regards to the moratorium, she suggested the previous list of establishments could be cross-referenced with a current list to see if any are still in business. She stated that she did not agree with regulating dispensaries through stricter zoning requirements, stating that it contributed to the negative image of those businesses. She commented that the primary issues she had been hearing from residents pertained to aesthetic issues, signage, volume, and safety.

Mr. Mike Thomas, representing Got Meds in South Lansing, addressed the Committee stating that they did not have concerns about security at their establishment even though they are located in a high crime area.

Councilmember Dunbar stated that she did not support the lounge aspect of the medical marijuana dispensaries, expressing concern that creating a social aspect around the medical distribution would delegitimize it. She noted that she was not against recreational marijuana, which is currently not legal in Michigan, but that it should not be a part of establishments providing medical marijuana.

Councilmember Hussain stated that while he was not interested in shutting down every dispensary in Lansing, it was unfair to businesses that are licensed for dispensaries remain unlicensed and unregulated. He explained that the purpose of a moratorium would be to allow time to create appropriate regulation just as every other industry in the city is regulated.

Councilmember Spitzley stated that she believes there is a place for this industry in Lansing and that no one on the Committee has ever mentioned shutting down every dispensary in the city. She remarked that they are interested in a regulatory structure that is protective of Lansing residents and other people who need to frequent these facilities for medical marijuana, but that she does not support a business model that allows for self-medicating at the dispensaries. She explained that the MMMA was not developed for that purpose and stated she did not support lounges at the dispensaries.

Councilmember Wood asked if Mr. Abood would be able to return on March 18th with models of a moratorium and/or an ordinance that the Committee could discuss to start moving forward. Mr. Abood stated that he could, but he would need further direction from the Committee. Councilmember Wood asked Mr. Abood to send a memo to the Committee members outlining the specific information he needed from them and that they would try to have their responses to him by March 4, 2016.

Councilmember Hussain expressed concern with waiting until March 18th to take action and asked if a moratorium could be backdated to March 1st to prevent an influx of new medical marijuana establishments. Mr. Abood replied that he did not know if a moratorium could be backdated and explained that whatever action they took in the Committee would still have to go before Council, so they were looking at a longer time period before anything was put in

place. Councilmember Wood explained that the City Attorney had told them during the implementation of the first moratorium that the new establishments could be added until the Council voted to approve the moratorium. Councilmember Hussain asked if there was any way to safeguard against the influx and Councilmember Wood replied that there was not. Councilmember Dunbar remarked that this was the downside of having a moratorium.

Councilmember Wood stated that they were looking at taking a two-pronged approach of establishing licensing and determining what they can license under, whether it is Code Compliance, Building and Safety, or something else.

Councilmember Dunbar suggested that perhaps the writing of the ordinance or moratorium was something the Committee should work on instead of the City Attorney's Office. Councilmember Wood replied that her only disagreement with that suggestion was that Mr. Abood had stated previously that the City Attorney's Office was already working on an ordinance and they had the previous moratorium to use as a template.

Councilmember Hussain commented that he and Councilmember Spitzley had been told in December by the City Attorney that something had already been written and was going to be forwarded to the Mayor's Office, so he had come onto the Committee of Public Safety believing they were ready to take action.

Councilmember Wood stated that the regularly scheduled Committee on Public Safety meeting for March 25, 2016 would be moved to March 18, 2016 at 3:30 p.m. in City Council Chambers.

PENDING

Councilmember Wood stated that the Committee was forwarding the memo from the Old Everett Neighborhood containing a work plan for that neighborhood to Ms. Patricia Baines-Lake, Director of the Lansing Housing Commission, and Mr. Tony Baltimore, Chairman of the Board for the Lansing Housing Commission, and that they have been invited to attend the meeting on March 11, 2016 to continue discuss 3200 S. Washington and the issues put forth in that memo. She also said that Chief Yankowski of the Lansing Police Department would be invited to the March 11th meeting to continue the discussion on CPO's.

OTHER

ADJOURN

The meeting was adjourned at 4:55 p.m.

Submitted by,

Courtney Vincent, Administrative Assistant
Lansing City Council

Approved: March 11, 2016



MINUTES
Committee on Public Safety
February 12, 2016 @ 3:30 p.m.
Tenth Floor, City Council Chambers – Lansing City Hall

CALL TO ORDER

The meeting called to order at 3:31 p.m.

ROLL CALL

Councilmember Carol Wood, Chair

Councilmember Adam Hussain, Vice Chair

Councilmember Kathie Dunbar, Member – arrived at 3:46 p.m.; left at 5:11 p.m.

OTHERS PRESENT

Patricia Spitzley, Lansing City Council Member

Joseph Abood, Deputy City Attorney

Patricia Baines-Lake, Lansing Housing Commission

Tony Baltimore – Lansing Housing Commission Chair

Lt. Ryan Cressman, Lansing Police Department

Brian Hamilton, Puff-n-Stuff

Shirley Purdy

Stephen Purdy

Cinda Eltzreth

Mark Bessak, Got Meds Medical Marijuana Distributor

Kevin McKinney

Robin Schneider, NRRA

Douglas Mains, NRRA

Deland Glosson

Ruby Abrego

Edge Russel

Jackie Moss

Spencer Soka

Adrian Joseph

Carolyn Condell

Steve Green

David Womboldt

Richard C. Pritchard

Rex Smith

Kevin Pybus

Patricia Ablace

Terry Harshman

Noel Harshman

Matt Hoffman, Michigan Medical Marijuana Growers Association
Joanna Creede
Mike Tobras
Joshua Covert
Michelle Covert
Suzanne Elms-Barclay
Erin Fox
Deb Parrish
Jim Papesch
Shaun Watson
Monica Watson
Michael Sdao
Jeff Nemeth
Marry Ann Prince
Paul Ciarr
Kathy Miles
James Barr
Nakia Barr
Laurie Ruiz
Paul Samways
Jeffrey Hank, MILEgalize
Chris Silva, MILEgalize
Maureen Smith, Ingham Substance Abuse Prevention Coalition
Courtney Vincent, Administrative Assistant

Minutes

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE MINUTES FROM JANUARY 20, 2016 AS PRESENTED. MOTION CARRIED 2-0.

Public Comment on Agenda Items

Councilmember Wood stated that public comment would be taken prior to the discussion of each agenda item.

Councilmember Wood amended the agenda, moving the discussion on 3200 S. Washington to take place before the discussion on the medical marijuana ordinance.

Discussion/Action:

Update from Board of Police Commission on Citizen Investigator Position

Councilmember Wood stated that it was her understanding that the Board of Police Commission was going to contract out the Citizen Investigator position while the Commission went through the hiring process.

Discussion on 3200 South Washington

Councilmember Wood opened the floor for public comment.

Ms. Marry Ann Prince, a resident of South Lansing, addressed the Committee to discuss the problems she had heard the building faced such as insect and rodent infestation and crime. She hoped that there was something that could be done to improve conditions.

Mr. Richard Pritchard, a former resident of 3200 S. Washington, addressed the Committee to discuss some of the issues he faced while living there including having his complaints ignored by building management and the Lansing Housing Commission. He opined that no one

seemed to care about the low income residents living in the building or the problems they are having.

Councilmember Wood closed the public comment and reserved comment for the Committee.

Councilmember Hussain stated that he had been following the status of this property since 2012 when he was made aware of the problems during a news report about an attempted robber and attempted murder on the property that resulted in a car crash. The issues raised in that report continued to affect the property in 2013 and 2014. He remarked that he had thought the problems had been taken care of because he had not heard anything after 2014, but had recently been notified by someone of the continuing problems such as drug issues, lack of security, bed bugs, and aggressive crowds. He went out to 3200 S. Washington about two weeks ago, walking through the entire property including some of the apartments, and witnessed such problems as security doors being unlocked, litter in the hallways and stairwells, unkempt grounds, parties in the common areas, and insect infestations. He noted that he spoke with Mr. Tony Baltimore, the Chair for the Board of LHC regarding some of the issues he had seen during his visit to the property. He then explained that he had asked for an update on the property because he had been informed that there was supposed to be a collaborative effort between the Lansing Police Department (LPD) and the Lansing Housing Commission (LHC) to address these ongoing issues, and he wanted to know what steps were being taken to mitigate and/or remedy the problems at 3200 S. Washington.

Councilmember Wood introduced Ms. Patricia Baines-Lake, Director of the LHC. She then reviewed that the Old Everett Neighborhood Association had met with the LHC in 2012 with their concerns, and at that time the LPD had provided a community police officer for that area. There had been several raids and evictions on the property since then, and that the Neighborhood Association had submitted an action plan for the LHC to look at and adopt.

Ms. Baines-Lake began by addressing the after-hours parties, stating that they were aware of this issue as well as which floors seemed to be most prevalent. They have had a dialogue with LPD about doing "the walks, the knocks, the talks," and for the LHC to pay for baseline services to have this done on a quarterly or semi-annual basis. They are aware of the complaints regarding aggressive behavior on the property, and they have evicted a number of people associated with that behavior. She did note that prospective tenants are screened before moving in and that tenants will be evicted if a problem later occurs. She added that it would help if there were more witnesses to the activities and more people willing to talk to the police. She mentioned that there had been a community police officer, which had helped with addressing aggressive behavior issues, and that the greatest need for an officer's presence was during non-business hours. Other methods LHC is using to mitigate problems include meeting with current tenants and having new-tenant orientations. She stressed the importance of a partnership between LHC, LPD, and the residents in order to succeed. She noted that there are currently six or seven residents who are responsible for helping to maintain and clean the building during off hours, but that it is difficult to keep up with cleaning when there are residents who do not care about cleanliness. In regards to security, they had previously been allowed to use U.S. Department of Housing and Urban Development (HUD) funds towards afterhours security personnel, but those funds are no longer allowed to be used in that manner. They can be used to pay for hardware, and additional cameras will be purchased using those funds.

Councilmember Dunbar arrived at 3:45 p.m.

Mr. Baltimore emphasized that he always encourages residents to come to the LHC Board meetings with problems they are having, and that they will try to address those issues. He

noted that they did not receiving enough federal funding to take care of all that needed to be done, and also pointed out that the property is an older building with corresponding maintenance problems. He remarked that he had recently spent two hours talking to the management of 3200 S. Washington, as well as walking the property, and that while he was there he did see trash in the hallways, outside of doors, and in the rooms with trash chutes. He encouraged residents to be mindful of their trash. He then discussed the bedbug problem, stating that they address the problems as residents report them, and that there was no cost to residents to have their homes treated for bedbugs. They try to do as little displacement as possible and also try to educate residents on bedbugs and ways they can decrease the risk of infestation. He mentioned their ongoing relationship with LPD has been great, and that they provided LPD with key cards to the building so they would have immediate access when responding to a complaint inside. He wanted to see the LHC, building management, and residents work together to help resolve the issues in the building.

Councilmember Wood asked for clarification regarding any fees to residents for bedbug services. Ms. Baines-Lake replied that there was no charge to residents for treatment with the exception of a non-compliance fee in situations where the exterminator is repeatedly being rescheduled on a unit at the time of scheduled service because of a tenant's non-compliance with preparing the unit for the treatment. Councilmember Wood asked whether those found non-compliant were seniors or disabled and if there were any services available to assist them in preparing their apartments should they be unable to do so themselves. Ms. Baines-Lake replied that it was the responsibility of the tenant to prepare the apartment for the exterminator. They can accommodate if a tenant calls the office and requests for additional time before the exterminator arrives, and if the tenant has someone listed on their record that can be called to assist the tenant then the office will call that person for assistance. Otherwise, it is the responsibility of the tenant to make arrangements for assistance. Councilmember Wood suggested that the Committee could contact agencies such as the Tri-County Office on Aging to inquire about services to assist those unable to prepare their units on their own.

Councilmember Hussain asked if surrounding units were inspected after a unit was treated for bedbugs. Ms. Baines-Lake replied that depending on the severity of the infestation they would have the units above, below, to the right, and to the left of the treated unit inspected. She gave a handout to the Committee on bedbugs. Different inspection methods were performed including having a canine unit go through the entire building annually, visual inspections by management in response to complaints submitted by residents, and visual inspections by their pest control contractor. They also worked to educate residents in an effort to prevent them from bringing bedbugs into the building from an outside source. Units are treated with chemical if it is a mild infestation and with heat if it is a bad infestation. She noted that LHC is in the process of purchasing a heat machine as a way to curb costs, explaining that it was about \$200 per chemical treatment and between \$1,200 and \$1,800 per heat treatment. She added that chemical treatment require less preparation by the tenant than heat, which necessitates such measures as bagging up all clothes and taking them to a laundromat to be heated in industrial driers to the necessary temperature to kill the bugs.

Councilmember Wood asked if any assistance was offered for the costs of preparative measures such as taking clothes to the laundromat. Ms. Baines-Lake replied that they are providing residents with the plastic bags for their clothes, and that they will provide refunds for the costs of laundering if a resident provides them with receipts. She noted that they are trying to arrange for the laundromats to bill them for the related costs, up to a set cap, but so far no laundromats have been willing to do that.

Councilmember Wood asked how the common areas were treated to prevent further infestation. Ms. Baines-Lake explained that those areas receive a visual inspection monthly and, regardless of the outcome of the visual inspection, are also treated with chemicals monthly. Councilmember Dunbar asked if there were laundry services available on site. Ms. Baines-Lake replied that they did have washers and driers on site but the ones at a laundromat were larger. Councilmember Dunbar suggested they consider buying an industrial dryer to assist with the heating of clothing for residents because it might be more cost effective than reimbursing the costs of a laundromat. Ms. Baines-Lake replied that their washers and driers were supplied by a third party, but that they would talk to them about that option.

Councilmember Spitzley asked if the apartment units could be treated on a regular basis such as the common areas were. Ms. Baines-Lake replied that the treatments on the common areas were preventative in nature and that they were following the recommendation for treatments from their pest control contractor.

Councilmember Wood asked Lt. Cressman for an update on the status of any partnership between LPD and the LHC. Lt. Cressman replied that LPD did partner with LHC, and that working with residents and keeping residents safe was something LPD took very seriously. He noted that their resources were limited at this time, and that the community officer position for that area was currently vacant, but the intention was to fill it as soon as they made more hires in the department. He discussed the LPD's efforts to focus on crime "hot spots" using Data-Driven Approaches to Crime and Traffic Safety (DDACTS), mentioning that one such hot spot was MLK Jr. Blvd. and Holmes Rd. He noted that DDACTS zone had been effective in that area and they were looking into possibly moving their DDACTS zone back into that area shortly. He stated that there were 211 calls to the 3200 S. Washington property in 2015, explaining that that was not an extraordinary amount and it did not show up on their crime hot spot mapping during analysis of crime in the City of Lansing. He also mentioned that there are currently issues with drugs being sold on the property and they are working with the appropriate agencies to gather enough evidence for an eviction.

Councilmember Wood mentioned that there had been an action plan created by the Old Everett Neighborhood Association, and that she would email a copy to Lt. Cressman. She asked Lt. Cressman to review the action plan and then return with an update of what has been completed, can be completed, or might not be feasible, as well as with a timeline regarding filling the community officer position for that area. She mentioned that letters were being sent to the LHC to keep them apprised of the City's ordinance on drug houses. She added that she would like to follow up with the LHC regarding what agencies they could be partnered with, especially regarding assistance for senior and disabled residents for bedbugs, and that she would like to schedule Ms. Baines-Lake and Mr. Baltimore to return to the Committee for further updates.

Councilmember Hussain commented that one common issue brought to his attention was that residents felt as if they were not being heard. He reiterated the security problems with the building. He also remarked that the best method for dealing with bedbugs was early detection and aggressive treatment, opining that annual inspections were insufficient to fix the problem. He suggested that monthly inspections be performed now and that they could be scaled back to quarterly once the problem was under control. He added that he had seen bedbugs in some apartments during his walkthrough, and that having infestations on the fourth and fifth floors of the building indicated that the problem was most likely widespread through the entire building. He said that the residents deserve to live in a safe, clean environment.

Councilmember Wood asked Lt. Cressman, that a neighborhood watch program be started in the building once a community officer was assigned.

Mr. Steve Green, a resident of S. Washington Ave., addressed the Committee to mention that some of the visitors to 3200 S. Washington have also caused problems in the neighborhood at large. He asked about the City's ordinance regarding drug houses and how it would apply to a large apartment building. Councilmember Wood explained that he was referring to the ordinance on drugs and prostitution and outlined the provisions of the ordinance required for the City Council to move forward regarding a complaint. She also noted that the Old Everett Neighborhood Association was aware that the problem spreads past this property, which was why the action plan had been drafted.

Mr. Baltimore reiterated that residents could come to the LHC and the LHC Board with their concerns, mentioning that he had told Councilmember Hussain that he would be willing to go to the property to meet with residents, and he thanked the Committee for bringing this issue to their attention.

Discussion on Medical Marijuana Ordinance

Councilmember Wood stated that the Committee would be discussing the current medical marijuana ordinance and whether they were able to begin enforcing the ordinance and issue licenses again. If the City Attorney believed the ordinance was not enforceable, then they would work with the City Attorney's Office to create an ordinance that is enforceable.

Councilmember Wood opened the floor for public comment.

Ms. Deb Parrish addressed the Committee in support of regulating medical marijuana establishments through the ordinance by requiring they be licensed, provide a security plan and floor plan, and go through both background checks and zoning checks.

Mr. Jeffrey Hank, Founder of the Coalition for a Safer Lansing and Executive Director of MILEgalize, addressed the Committee in favor of licensure and regulation for medical marijuana establishments. He suggested that the City treat dispensaries as they would a normal business, not limit the number of licenses, allow them in business districts, and have regulations in place to prevent safety issues. He also suggested including a provision in the ordinance for those who process marijuana products.

Mr. Steve Green, a resident of Lansing and writer of a medical marijuana review column for the Lansing City Pulse called "The Green Report," offered his assistance to the Committee in regards to the ordinance and mentioned that there might be some conflicts with the language of the current ordinance. He spoke in favor of licensing and regulation.

Councilmember Wood reiterated that there is a current ordinance in place and that the City is only precluded at this time from issuing licenses.

Ms. Kathy Miles addressed the Committee in support of regulation and licensure for dispensaries. She submitted the transcript of her speech to the Committee.

Ms. Noel Harshman, a resident of South Lansing, addressed the Committee in favor of issuing licenses for medical marijuana dispensaries.

Ms. Suzanne Elms-Barclay, a resident of Lansing, addressed the Committee regarding misuse of medical marijuana, the ease of obtaining a medical marijuana card for use prescribed by a doctor, and a problem with dispensaries adequately checking a patient's information before distributing the marijuana. She supported enforcement of the current ordinance, and submitted information on medical marijuana for the Committee. Councilmember Wood

explained that the majority of what Ms. Elms-Barclay had mentioned were issues handled by the State of Michigan, not the City of Lansing.

Mr. Mark Bessak, a resident of South Lansing, addressed the Committee in favor of enforcing the ordinance. He suggested having a provision to cover the testing of medical marijuana for pesticides and for the Committee to consider those people who were waiting for licenses to open their businesses as opposed to only giving licenses to those already in business.

Ms. Michelle Covert addressed the Committee and asked that they not limit the number of licenses allowed for dispensaries out of concern that there would be a lack of variety of medical marijuana strains, limiting resources for those who needed less-common varieties for their ailments. She also supported regulating the testing of marijuana sold at dispensaries.

Mr. Terry Harshman, a resident of South Lansing, addressed the Committee in support of regulation and enforcing the ordinance.

A woman who wished to remain anonymous addressed the Committee as an advocate for the benefits of medical marijuana for those who need it.

Ms. Cinda Eltzreth, a resident of Lansing, addressed the Committee in opposition to medical marijuana lounges because they allowed smoking of marijuana on their premises.

Mr. Chris Silva, Campaign Manager for MILEgalize, addressed the Committee in opposition to setting a cap on the number of licenses that would be issued by the City out of concern that there would be a lack of variety in medical marijuana strains available.

Mr. Matt Hoffman, a resident of Grand Rapids and board member of the Michigan Medical Marijuana Growers Association, addressed the Committee to thank them for having the discussion about medical marijuana dispensaries.

Mr. Jeff Nemeth, a resident of Lansing and owner of ACT Laboratories, addressed the Committee to ask that they consider licenses for those who test medical marijuana and offered his assistance regarding regulations for medical marijuana testing.

Ms. Edge Russell, a resident of Lansing and medical marijuana grower, addressed the Committee to suggest that they not penalize those people who were waiting to open dispensaries until there was regulation and licensure in place, in part to help ensure there is a full variety of strains available to those who need them.

Ms. Robin Schneider, representing the National Patients Rights Association, addressed the Committee to caution against using zoning as a tool to cut back on the number of dispensaries in the city because they might not be the best options for patient care despite their location. She mentioned that patients would be displaced if the number of dispensaries decreased, and she suggested that they make sure that the facilities that do remain open are licensed and have the ability to provide the best care for the patients.

Mr. Doug Mains, attorney with Dykema Gossett Law Firm and representing the National Patients Rights Association, addressed the Committee in favor of regulation for medical marijuana dispensaries. He mentioned some of the problems the City of Detroit had been dealing with concerning their medical marijuana ordinances including complex zoning requirements. He asked the Committee to find a balance between public safety, the rights of patients, and concerns of the neighborhoods.

Councilmember Dunbar left the meeting at 5:11 p.m.

Mr. Paul Samways, Managing Partner and CPA of Cannabis Tax Advisors, addressed the Committee stating the advantages to having dispensaries such as the various taxes that owners, operators, employees, and customers of dispensaries would pay as well as reducing blight by utilizing vacant buildings. He suggested that it was within the city's ability to address the community concerns, professionalize the industry, and provide patients with what they need.

Mr. Erin Fox, a resident of Lansing, addressed the Committee in opposition to limiting the number of dispensaries due to the possibility of creating a non-competitive market, which could increase the cost of medical marijuana to patients. He supported regulation but asked the Committee to consider the effects of their decisions on the costs to patients.

Mr. Brian Hamilton, representing Puff-n-Stuff, addressed the Committee in support of regulations and licensing for medical marijuana testing and dispensaries, and suggested that zoning regulations for dispensaries could mirror those for bars.

Mr. David Womboldt, a resident of Lansing and member of Rejuvenating South Lansing, addressed the Committee to suggest that any regulations put in place for medical marijuana dispensaries should consider the rights of non-users.

Mr. Mike Barron, representing Got Meds, addressed the Committee in support of medical marijuana lounges for those patients who were unable to use their medical marijuana in their homes and in support of regulation for medical marijuana dispensaries.

Mr. Spencer Soka addressed the Committee in support of regulations for medical marijuana dispensaries.

Councilmember Wood closed the public comment and reserved comment to the Committee.

Councilmember Wood stated that the current ordinance and resolution concerning medical marijuana required a fee and limited the number of licenses allowed. She asked Mr. Abood if this was an enforceable ordinance and if they could begin to issue licenses again. Mr. Abood replied that medical marijuana cultivation centers, provisioning centers, and dispensaries were not legal under the law in the State of Michigan and that the City had issued a moratorium on licenses for medical marijuana dispensaries because there was no legal basis for issuing licenses. He noted that there are municipalities drafting ordinances where they are going to issue licenses and that the state legislature is working on MMMA Dispensary Cultivation Center Tracking Ordinances, but there was no timetable for completion. He also mentioned that the City Attorney's Office has been working to draft an equitable ordinance that will keep with what the state and community needs while being mindful of the medical needs of the patients. He explained that they did not want to enact an ordinance only to repeal it should there be a conflict with what the legislature may soon pass. There were provisions of the current ordinance that can be enforced now such as zoning rules and special requirements.

Councilmember Wood asked for clarification as to whether the city could start issuing licenses immediately under the current ordinance. Mr. Abood replied that issuing licenses would not be in compliance with state law, and therefore the immunities granted by state law would neither extend to nor legitimize dispensaries. He added that there was also the risk of the opinion of the Attorney General or the legislature changing after the election in November, which could also pose a risk. He said that they could issue licenses, but the issue was whether they would be meaningful under the law.

Councilmember Wood summarized that the general opinion appeared to be in support of licensing for dispensaries, and the City Council wanted to get to the point where they could do that. She said she was not willing to wait to find out what the state was going to do when there was no guarantee they would act any time soon. Doing nothing is not the answer.

Councilmember Spitzley expressed her support of regulation for medical marijuana dispensaries and asked for the City Attorney's Office to provide the City Council with options and examples from other municipalities to see how they were enacting their ordinances.

Councilmember Hussain addressed a previous comment regarding the use of zoning to reduce the number of dispensaries, clarifying that zoning regulations were a standard part of urban planning. He then reported that the majority of the city residents he had heard from were in support of regulation, and that it seemed those who were against regulations and opposed setting a cap on the number of licenses did not live in Lansing. He stated that they were there to represent the residents of the City of Lansing and that it was not their responsibility to provide others with medical marijuana. He agreed that they could not afford to continue to wait on legislature to address the issue, and said that he supported enforcing the current ordinance. He opined that 48 dispensaries was too many for the city and supported setting the cap at a lower number.

Councilmember Wood asked Mr. Abood if he could return at the next Committee on Public Safety meeting scheduled for February 26th, and provide the Committee with suggestions on how to move forward. Mr. Abood replied that he would. Councilmember Wood stated that the next meeting would be held in City Council Chambers to accommodate the large number of attendees.

OTHER

Councilmember Wood stated that they would readdress 3200 S. Washington in March. She added that an invitation would be extended to the Chief of the Lansing Police Department to attend the meeting on February 26th to discuss community police officers.

ADJOURN

The meeting was adjourned at 5:45 p.m.

Submitted by,

Courtney Vincent, Administrative Assistant

Lansing City Council

Approved: _____



Virg Bernero, Mayor

Lansing Police Department
120 West Michigan Avenue
Lansing, MI 48933
Phone: (517) 483-6800
Fax: (517) 483-6875



Mike Yankowski, Chief

MEMORANDUM	
To:	City of Lansing Public Safety Committee,
From:	Chief Mike Yankowski
Date:	February 26, 2016
Re:	Public Safety Meeting- 2/26/16 (Community Policing)

City of Lansing Public Safety Committee,

Due to a previous scheduled commitment, I regret that I will not be able to attend the February 26th Public Safety Meeting. However, at the Committee's request, please accept this written memorandum as my official correspondence in regards to the status of LPD's Community Services Unit and deployment of its Community Policing Officers (CPO).

Back in May of 2014, LPD Re-Organized to expand the number of Community Policing Officers from 5 to 9. However, due to police officer vacancies, LPD never was able to fill all of the designated CPO assignments.

In July of 2015, LPD added a CPO Supervisor to the Community Services Unit. However, due to the fact that vacancies grew in 2015, the Supervisor position has never been filled.

As for 2016, LPD's Strategic Plan remains committed to Re-Tooling our Community Services Unit and CPO areas. LPD currently has nine (9) police officers in the Field Training Program and several hiring processes underway to fill 14 current vacancies. Once those hiring processes are completed and the officers successfully complete the Field Training Program, we will focus on filling these vacant CPO positions with available resources. I anticipate starting to fill some of these positions no later than June 1st. Of course, that will depend on the number of officers on FMLA, injury status, and current vacancies.

The following Neighborhoods have been designated a CPO area at this time. Please note these current CPO areas are subject to change based upon updated crime data and neighborhood issues.

Community Policing Neighborhood Assignments-

- 1) **Downtown-** Matt Salmon
- 2) **North Town-** Rob Forbis (Leaves assignment in March)
- 3) **Kalamazoo Corridor-** Garret Hamilton
- 4) **Jolly/Waverly-** Kristi Pratl
- 5) **Baker St. -** OPEN
- 6) **Washington Corridor-** OPEN
- 7) **Moore's Park-** OPEN
- 8) **Genesee-** OPEN
- 9) **Potter/Walsh-** OPEN

Medical Marihuana Establishments Ordinance Chapter 1300

1. All Medical Marihuana establishments are required to have a license.
2. Licenses are good for one year.
3. You must obtain a license at least 30 day prior to opening an establishment.
4. Application for individual is to include name, date of birth, physical address, email address, one or more phone numbers, including emergency contact information.
5. Application for corporation of limited liability to include designated stakeholder name, date of birth, physical address, email address, one or more phone numbers, including emergency contact information.
6. Applicant to included name and address of establishment.
7. Applicant and stakeholders affirm he or she has not been convicted or pled guilty to felony involving controlled substance with the seven years of application.
8. Proof of ownership of the premises where the medical marihuana establishment is operating OR written consent from the property owner for use of the premise to be used for this purpose. Also copy of the lease for the premises.
9. Proof if insurance covering the establishment and naming the City as additional insured party for at least \$1,000,000 for property damage, at least \$1,000,000 for injury to one person, at least \$2,000,000 for injury to two or more person.
10. Must submit Security plan.
11. Must submit Floor plan.
12. Affidavit that neither the applicant nor any stakeholder is in default to the City.
13. Affidavit that at least one primary caregiver is to be involved in the distribution or growth of marihuana.
14. City would issue only 48 license at non-refundable amount of \$1,000.
15. Inspection the proposed property by Fire Department & Building Safety.
16. Applicant and each stakeholder passed a background check.
17. Zoning Administrator has confirmed that the proposed location meets the Zoning Code.
18. City Treasure confirmed that the applicant and each stakeholder are not in default to the City.
19. License is nontransferable and any changes from the original application must be reported to the clerk within 10 day.
20. No medical marihuana establishment shall be open between 11:00 pm and 7:00 am
21. No medical marihuana establishment shall permit a person under the age 18 on premises unless with qualifying patient or with parent or legal guardian.
22. No consumption of marijuana shall be permitted on premises. Also a sign posted stating such.
23. Continuously monitor of the entire premises operated with security camera with footage store off-site location for 14 days.
24. Ay usable marijuana shall be secured in a safe permanently affixed to the premises.
25. Any drive-through window on the premises shall have been part of a site plan approved by Planning & Neighborhood Development.
26. You cannot create noise, dust, vibration, glare, fumes or odors detectable to normal senses beyond the boundaries of the property.

submitted at meeting 2/26/16

27. License must be displayed.
28. Packaging must contain: A unique alphanumeric identifier for the cultivation source of the marihuana; that the package contains marihuana; the date of delivery, weight, type of marihuana and dollar amount or other consideration being exchanged in the transaction; certification that all marihuana in any form contained in the package was cultivated, manufactured, and packaged in the State of Michigan
29. Warning information printed on the package: This product is manufactured without any regulatory oversight for health, safety or efficacy. There may be health risks associated with the ingestion or use of this product. Using this product may cause drowsiness. Do not drive or operate heavy machinery while using this product. Keep this product out of reach of children. This product may not be used in any way that does not comply with the Michigan Medical Marihuana Act or by any person who does not possess a valid medical marihuana patient registration card.
30. No establishment can be with 1,000 feet of a public or private elementary, vocational, or secondary school; a public or private college, community college, or university; a playground; a church or other structure in which religious services are conducted; a child care organization required by the Child Care Organizations Act, PA 116 of 1973, to be licensed or registered by the Michigan Department of Human Services; or a facility at which substance abuse prevention services or substance abuse treatment and rehabilitation services
31. No establishment can be within 1000 ft of another medical marihuana establishment
32. No establishment can be with 100 ft. of public or private youth center, public swimming pool or video arcade facility.

CHAPTER 1300. - MEDICAL MARIHUANA ESTABLISHMENTS

1300.01. - Definitions.

For the purposes of this chapter:

- (a) Any term defined by the Michigan Medical Marihuana Act, MCL 333.26421 et seq., shall have the definition given in the Michigan Medical Marihuana Act.
- (b) Any term defined by 21 USC 860(e) shall have the definition given by 21 USC 860(e).
- (c) The following terms shall have the definitions given:

Change in the identity means either (a) with respect to an individual, substitution of another individual or any other entity; or (b) with respect to any entity other than an individual, the elimination or replacement of every stakeholder.

Existing medical marihuana establishment means a medical marihuana establishment identified in Chapter 876 of the Lansing Codified Ordinances, prior to repeal by this ordinance, as being in operation on or before December 8, 2010.

Medical marihuana establishment means any nonresidential land use involving the growth or distribution of marihuana.

Stakeholder means, with respect to a limited liability company, an employee, a manager or a member, and, with respect to a corporation, whether profit or non-profit, an employee, an officer, director, member, or shareholder.

(Ord. No. 1168, § 1, 6-27-11)

1300.02. - Operation without license prohibited.

- (a) No person shall operate a medical marihuana establishment in the City without first obtaining a license to do so from the City Clerk.
- (b) The City Clerk may issue licenses for medical marihuana establishments only to individuals, limited liability companies, and corporations, whether profit or nonprofit. The term of each license shall be one year. Council shall establish, by resolution, an appropriate license fee and a maximum number of licenses to be issued by the City Clerk.

(Ord. No. 1168, § 1, 6-27-11)

1300.03. - License applications.

- (a) Application for a license required by this chapter shall be made in writing to the City Clerk at least 30 days prior to (1) commencing operation of a medical marihuana establishment; or (2) the expiration of an existing license. Existing medical marihuana establishments shall make application for a license required by this chapter in writing to the City Clerk within ten days of the effective date of this chapter.
- (b) An application for a license required by this chapter shall contain the following:
 - (1) The appropriate nonrefundable license fee in the amount set by Council resolution;

- (2) If the applicant is an individual, the applicant's name, date of birth, physical address, email address, and one or more phone numbers, including emergency contact information;
 - (3) If the applicant is not an individual, the names, dates of birth, physical addresses, email addresses, and one or more phone numbers of each stakeholder of the applicant, including designation of a stakeholder as an emergency contact person and contact information for the emergency contact person;
 - (4) The name and address of the proposed medical marihuana establishment and any additional contact information deemed necessary by the City Clerk;
 - (5) For the applicant and for each stakeholder of the applicant, an affirmation that he or she has not been convicted of or pled guilty to a felony involving controlled substances within the seven years preceding the date of application;
 - (6) One of the following: (a) Proof of ownership of the entire premises wherein the medical marihuana establishment is to be operated; or (b) written consent from the property owner for use of the premises in a manner requiring licensure under this chapter along with a copy of the lease for the premises;
 - (7) Proof of an insurance policy covering the medical marihuana establishment and naming the City as an additional insured party, available for the payment of any damages arising out of an act or omission of the applicant or its stakeholders, agents, employees, or subcontractors, in the amount of (a) at least \$1,000,000.00 for property damage; (b) at least \$1,000,000.00 for injury to one person; and (c) at least \$2,000,000.00 for injury to two or more persons resulting from the same occurrence;
 - (8) A security plan meeting the requirements of this chapter;
 - (9) A floor plan of the premises on which the medical marihuana establishment is to be operated;
 - (10) An affidavit that neither the applicant nor any stakeholder of the applicant is in default to the City;
 - (11) An affidavit that at least one primary caregiver is to be involved in distribution or growth of marihuana at the medical marihuana establishment.
- (c) Upon receipt of a completed application meeting the requirements of this chapter and confirmation that the number of existing licenses does not exceed the maximum number established by resolution pursuant to subsection 1300.02(b), the City Clerk shall refer a copy of the application to each of the following for their approval: The City Attorney, the Police Department, the Fire Department, the Building Safety Office, the Zoning Administrator, and the City Treasurer.
- (d) No application shall be approved unless:
- (1) The Fire Department and the Building Safety Office have inspected the proposed location for compliance with all laws for which they are charged with enforcement;
 - (2) The applicant and each stakeholder of the applicant have passed a background check conducted by the Police Department;
 - (3) The Zoning Administrator has confirmed that the proposed location complies with the Zoning Code;
 - (4) The City Treasurer has confirmed that the applicant and each stakeholder of the applicant are not in default to the City.
- (e) If written approval is given by each individual or department identified in subsection (c), the City Clerk shall issue a license to the applicant.
- (f) Licenses issued under this chapter are nontransferable; a change in the medical marihuana establishment's location or a change in the identity of the licenseholder shall be deemed a transfer under this chapter and shall be prohibited.

- (g) Licensees shall report any other change in the information required by subsection (b) to the City Clerk within ten days of the change. Fees shall be set by Council resolution for any stakeholder added after the original application is filed.

(Ord. No. 1168, § 1, 6-27-11)

1300.04. - Denial and revocation.

- (a) A license issued under this chapter may be revoked after an administrative hearing at which the City Clerk determines that any grounds for revocation under subsection (b) exist. Notice of the time and place of the hearing and the grounds for revocation must be given to the licensee at least five days prior to the date of the hearing, by first class mail to the address given on the license application or any address provided pursuant to subsection 1300.03(g).
- (b) A license applied for or issued under this chapter may be denied or revoked on any of the following bases:
 - (1) Violation of this chapter;
 - (2) Commission of fraud or misrepresentation or the making of a false statement by the applicant during the application process;
 - (3) Any conviction for or guilty plea to a felony involving controlled substances by the applicant or any stakeholder of the applicant occurring: (a) Within the seven years preceding the date of application or the date of becoming a stakeholder, whichever occurs later; or (b) while licensed under this chapter.
 - (4) Commission of fraud or misrepresentation or the making of a false statement by the applicant or any stakeholder of the applicant while engaging in any activity for which this chapter requires a license.

(Ord. No. 1168, § 1, 6-27-11)

1300.05. - Operation of medical marihuana establishments.

- (a) No medical marihuana establishment shall be open between the hours of 11:00 p.m. and 7:00 a.m.
- (b) No medical marihuana establishment shall permit a person under the age of 18 on its premises unless the person is (1) a qualifying patient who is registered with the Michigan Department of Community Health; or (2) accompanied by a parent or legal guardian.
- (c) No consumption of marihuana shall be permitted on the premises of a medical marihuana establishment, and a sign shall be posted on the premises of each medical marihuana establishment indicating that consumption is prohibited on the premises.
- (d) Medical marihuana establishments shall continuously monitor the entire premises on which they are operated with security cameras. The recordings shall be maintained in a secure, off-site location for a period of 14 days.
- (e) Any usable marihuana remaining on the premises of a medical marihuana establishment while the medical marihuana establishment is not in operation shall be secured in a safe permanently affixed to the premises.
- (f) Any drive-through window on the premises of a medical marihuana establishment shall have been part of a site plan approved by the Planning and Neighborhood Development Department prior to the effective date of this chapter.

- (g) No medical marihuana establishment shall be operated in a manner creating noise, dust, vibration, glare, fumes, or odors detectable to normal senses beyond the boundaries of the property on which the medical marihuana establishment is operated.
- (h) The license required by this chapter shall be prominently displayed on the premises of a medical marihuana establishment.
- (i) Disposal of marihuana shall be accomplished in a manner that prevents its acquisition by any person who may not lawfully possess it and otherwise in conformance with State law.
- (j) All marihuana delivered to a patient shall be packaged and labeled as provided in this chapter. The label shall include:
 - (1) A unique alphanumeric identifier for the person to whom it is being delivered;
 - (2) A unique alphanumeric identifier for the cultivation source of the marihuana;
 - (3) That the package contains marihuana;
 - (4) The date of delivery, weight, type of marihuana and dollar amount or other consideration being exchanged in the transaction;
 - (5) A certification that all marihuana in any form contained in the package was cultivated, manufactured, and packaged in the State of Michigan;
 - (6) The warning that:

This product is manufactured without any regulatory oversight for health, safety or efficacy. There may be health risks associated with the ingestion or use of this product. Using this product may cause drowsiness. Do not drive or operate heavy machinery while using this product. Keep this product out of reach of children. This product may not be used in any way that does not comply with the Michigan Medical Marihuana Act or by any person who does not possess a valid medical marihuana patient registration card.
 - (7) The name, address, email address, and telephone number of an authorized representative of the dispensary whom a patient can contact with any questions regarding the product.

(Ord. No. 1168, § 1, 6-27-11)

1300.06. - Location of medical marihuana establishments.

- (a) No medical marihuana establishment shall be located within:
 - (1) One thousand feet of the real property comprising a public or private elementary, vocational, or secondary school; a public or private college, community college, or university; a playground; a church or other structure in which religious services are conducted; a child care organization required by the Child Care Organizations Act, PA 116 of 1973, to be licensed or registered by the Michigan Department of Human Services; or a facility at which substance abuse prevention services or substance abuse treatment and rehabilitation services, as those terms are defined in Part 61 of PA 368 of 1978, MCL 333.6101 et seq., are offered;
 - (2) One thousand feet of another medical marihuana establishment; or
 - (3) One hundred feet of a public or private youth center, public swimming pool, or video arcade facility.
- (b) Nothing in this section shall be construed as prohibiting any land use described herein, other than a medical marihuana establishment, from locating within the specified proximity of a medical marihuana establishment subsequent to establishment of the location of the medical marihuana establishment.

- (c) Effective July 1, 2012, existing medical marihuana establishments shall be subject to subsection (a) and shall be limited to the F or F-1 Commercial, H Light Industrial, or I Heavy Industrial Zoning Districts pursuant to Sections 1268.02, 1272.02, and 1274.02 of the Lansing Codified Ordinances.

(Ord. No. 1168, § 1, 6-27-11)

1300.07. - Penalty.

Any person in violation of any provision of this chapter or any provision of a license issued under this chapter is responsible for a misdemeanor, punishable by a fine of up to \$500.00 plus costs of prosecution, 90 days imprisonment, or both, for each violation.

(Ord. No. 1168, § 1, 6-27-11)